

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

In the Matter of:

West Edmeston Post Office
West Edmeston New York 13485
(Concerned Citizens of West Edmeston, Jason
Elias, and Claudia and Jonathan Haar,
Petitioners)

Docket No. A2012-41

UNITED STATES POSTAL SERVICE COMMENTS REGARDING APPEAL
(December 21, 2011)

On October 27, 2011, the Commission docketed correspondence from Concerned Citizens of West Edmeston as an appeal of the Final Determination to discontinue the West Edmeston, New York Post Office. On November 3, 2011, the Commission docketed correspondence from Jason Elias, objecting to the Final Determination to discontinue the West Edmeston, New York Post Office. On November 4, 2011, the Commission docketed correspondence from Claudia and Jonathan Haar objecting to the Final Determination to discontinue the West Edmeston, New York Post Office, and issued Order No. 948. In accordance with Order No. 948, the administrative record was filed with the Commission on November 14, 2011.

The initial correspondence received by the Commission in this docket raises five main issues: (1) the effect on postal services; (2) the impact upon the West Edmeston community; (3) the economic savings; (4) failure of the Postal Service to follow procedures required by law regarding the closures; and (5) that there are factual errors contained in the Final Determination. As reflected in the administrative record of this proceeding, the Postal Service gave these issues serious consideration. In addition,

consistent with the Postal Service's statutory obligations and Commission precedent,¹ the Postal Service gave consideration to other related issues, including the effect on employees. Accordingly, the Final Determination to Close the West Edmeston, New York Post Office and Extend Service by Rural Route Service should be affirmed.

Background

The Final Determination to Close the Glenwood, AL Post Office and Establish Service by Independent Post Office (Final Determination), as well as the administrative record, indicate that the West Edmeston Post Office provides EAS-13 level service 40 hours per week to retail customers and 437 delivery customers. Item No. 18, (Form 4920) Post Office Closing or Consolidation Proposal Fact Sheet (Fact Sheet), at 1.² The postmaster position at the West Edmeston Post Office became vacant when the postmaster retired on June 18, 2008. *Id.* Since that time, a noncareer postmaster relief employee has been installed to operate the West Edmeston Post Office. Item No. 41, Proposal to Close the West Edmeston, NY Post Office and Extend Service by Rural Route Service (Revised) (Revised Proposal), at 10.

The average number of daily retail window transactions at the Glenwood Post Office is 35.30. Item No. 18, Fact Sheet, at 1. Revenue has generally been low since 2008: \$15,057 (39 revenue units) in FY 2008, \$15,088 (39 revenue units) in FY 2009 and \$18,162 (47 revenue units) in FY 2010. Item No. 41, Revised Proposal, at 2. The

¹ See 39 U.S.C. § 404(d)(2)(A).

² In these comments, specific items in the administrative record are referred to as "Item No. ____."

West Edmeston Post Office has no meter or permit customers. Item No. 18, Fact Sheet, at 1.

Upon implementation of the Final Determination, delivery and retail services will be administered by the Bridgewater Post Office,³ an EAS-13 level Post Office, and through rural route service. Item No. 41, Revised Proposal, at 2. Customers may elect to continue Post Office box service at the Bridgewater Post Office, or receive delivery and retail service through rural route service to roadside mailboxes located close to customers' residences. See id. at 5-6.

The Postal Service followed the proper procedures⁴ leading up to the posting of the Final Determination, considered and addressed the issues raised by the customers of the West Edmeston Post Office, and complied with all notice requirements. In addition to the posting of the Proposal and Final Determination, customers received notice through other means. On May 26, 2011, questionnaires were distributed to delivery customers and made available to retail customers of the West Edmeston Post Office. Item No. 23, Postal Service Customer Questionnaire Analysis, at 1. The returned customer questionnaires and Postal Service response letters appear in the administrative record at Item No. 38. On June 8, 2011, representatives from the Postal Service attended a community meeting at the West Edmeston Post Office, where they answered questions and provided information to customers. Item No. 41, Revised Proposal, at 2. Customers received formal notice of the Proposal and Final

³ The Bridgewater Post Office is not listed as a candidate for discontinuance as part of the Retail Access Optimization Initiative (PRC Docket No. N2011-1).

⁴ This discontinuance action was conducted under an earlier version of United States Postal Service Handbook PO-101.

Determination, as well as the right to appeal the Final Determination, through postings at the West Edmeston Post Office and nearby facilities. Item No. 36, Proposal to Close the West Edmeston, NY Post Office and Extend Service by Rural Route Service, at 2-3 (reflecting posting at West Edmeston Post Office); *Id.* at 4-5 (reflecting posting at Bridgewater Post Office); Item No. 49, Final Determination to Close the West Edmeston, NY Post Office and Extend Service by Rural Route Service (Final Determination), at 1 (reflecting posting at West Edmeston Post Office).

In light of the postmaster vacancy,⁵ minimal workload, the variety of delivery and retail options (including the convenience of rural delivery and retail service),⁶ minimal impact upon the community, and the expected financial savings,⁷ the Postal Service issued the Final Determination.⁸ Regular and effective postal services will continue to be provided to the West Edmeston community in a cost-effective manner upon implementation of the Final Determination.

Each of the issues raised by the Petitioners is addressed in the paragraphs which follow.

⁵ See Item No. 18, Fact Sheet, at 1.

⁶ See Item No. 41, Revised Proposal, at 2-7.

⁷ *Id.* at 10.

⁸ Petitioners express a concern about the involvement of two postmasters in the discontinuance process. The Postal Service based its discontinuance decision on the factors listed above, and not on the opinions expressed or impact experienced by postmasters. With respect to the postmaster who supported the Brookfield Post Office as the administering office, the Postal Service's decision declining to adopt her proposal demonstrates the integrity of the discontinuance process.

Effect on Postal Services

Consistent with the mandate in 39 U.S.C. § 404(d)(2)(A)(iii), and as addressed throughout the administrative record, the Postal Service considered the effect of discontinuing the West Edmeston Post Office on postal services provided to West Edmeston customers. The discontinuance is premised upon providing regular and effective postal services to West Edmeston customers.

Petitioners raise the issue of the effect on postal services of the West Edmeston Post Office's closing, noting the convenience of the West Edmeston Post Office and requesting its retention. They express particular concern about the need to travel to the Bridgewater Post Office for service.

The effect of the West Edmeston Post Office's discontinuance on the availability of postal services to West Edmeston residents was considered extensively by the Postal Service. Item No. 41, Revised Proposal, at 2-7. Services provided at the Post Office, such as the sale of stamps, envelopes, postal cards, and money orders, will also be available from the carrier to roadside mailboxes located close to customers' residences. *Id.* Various options exist for obtaining postal services, which are explained on usps.com. In addition to carrier service, customers may opt for Post Office Box service at the Bridgewater Post Office, or use alternate access options, including usps.com and Stamps By Mail®. The window service hours of the Bridgewater Post Office are from 8 a.m. to 1 p.m. and 2 - 4:45 p.m., Monday through Friday, and 8 – 11:00 a.m. on Saturday. *Id.* at 2. In addition, customers opting for carrier service will have 24-hour access to their mail. *Id.* at 7.

Petitioners express their preference for retention of the Bridgewater Post Office, noting its convenience. The Postal Service noted this concern in the record. Item No. 41, Revised Proposal, at 3. Ultimately, the Postal Service concluded that the West Edmeston community would continue to receive regular and effective service through the Bridgewater Post Office and alternate access options, including rural route service, usps.com and Stamps By Mail®.

Petitioners question the consistency of this discontinuance action with provisions in Title 39. Pursuant to 39 U.S.C. § 404(d)(2)(A)(iii), the Postal Service in determining whether to close a Post Office must consider whether such closing is consistent with the policy that the Postal Service provide “a maximum degree of effective and regular postal services to rural areas, communities, and small towns where Post Offices are not self-sustaining.” The Postal Service’s view is that the “maximum degree” obligation in Section 101(b) must be read in the context of related statutory provisions. It is a directive to recognize that special consideration must be given to the greater likelihood of dependence on postal retail facilities for access to postal products and services in rural communities and small towns; however, this concern must be balanced with Congressional mandates that the Postal Service execute its mission efficiently and economically under a price cap regime. See Sections 101(a); 403(a), (b)(1) and (b)(3); 404(d)(2) and 3661(a). Here, the Postal Service then analyzed whether a maximum degree of effective and regular postal services to the area and community could be provided with rural delivery service in the absence of the Post Office, and the answer was affirmative.

Petitioners state that residents in the area do not use computers and therefore rely more heavily on services provided by the Post Office. Alternate access options are available for those customers who do not have computers. Stamps by Mail® and Money Order Application forms are available for customer convenience, and stamps are available at many stores and gas stations, or by calling 1-800-STAMP-24. See Item No. 41, Revised Proposal, at 4. Customers can request special services, such as certified, registered, or Express mail, delivery confirmation, signature confirmation, and COD from the carrier. *Id.* Customers who desire such special services may obtain them from the carrier, who will estimate cost, provide a receipt, and bring change or a bill for the remaining amount the next delivery day (or the customer may leave a note with the appropriate payment and the carrier will leave a receipt the next day). *Id.*

The Postal Service has considered the impact of discontinuing the West Edmeston Post Office upon the provision of postal services to West Edmeston customers. Delivery and alternate access options provide West Edmeston customers with similar access to many retail services, thereby alleviating the need to travel to the Post Office. Item No. 41, Revised Proposal, at 2-7. Thus, the Postal Service has properly concluded that West Edmeston customers will continue to receive regular and effective service.

Effect on the West Edmeston Community

The Postal Service is obligated to consider the effect of its decision to discontinue the West Edmeston Post Office upon the West Edmeston community. 39 U.S.C. § 404(d)(2)(A)(i). While the primary purpose of the Postal Service is to provide

postal services, the statute recognizes the substantial role in community affairs often played by local Post Offices, and requires consideration of that role whenever the Postal Service proposes to discontinue a Post Office.

West Edmeston is an unincorporated community located in Madison County. Item No. 41, Revised Proposal, at 7. The Cooperstown Sheriff's Department provides police protection, and the West Edmeston Fire Department provides fire protection. *Id.* In general, West Edmeston residents must travel elsewhere for many supplies and services. See Item No. 38 at 1-60b.

Petitioners question whether the Postal Service considered growth in the West Edmeston community as part of the discontinuance study process. As reflected in the administrative record, the Postal Service considered this issue and determined that West Edmeston had experienced minimal or no growth in recent years. See Item No. 41, Revised Proposal, at 8. There is no indication that the growth of a community depends on the location of a Post Office.

Petitioners' appeal raises the issue of the effect of the discontinuance of the West Edmeston Post Office upon the West Edmeston community. This issue was extensively considered by the Postal Service, as reflected in the administrative record. Item No. 41, Revised Proposal, at 7-9. The Postal Service explained that a community's identity derives from the interest and vitality of its residents and their use of its name. *Id.* at 8. Communities generally require regular and effective postal services, and these will continue to be provided to the West Edmeston community. The Postal Service is helping to preserve community identity by continuing the use of the Post

Office name and ZIP Code in street addresses and in the National Five-Digit Zip Code and Post Office Directory. Customers who retain their PO Box or currently have street delivery will not be required to change their address. *Id.* at 5.

Thus, the Postal Service has met its burden, as set forth in 39 U.S.C. § 404(d)(2)(A)(i), by considering the effect of discontinuing the West Edmeston Post Office on the community served by the West Edmeston Post Office.

Economic Savings

Postal Service officials properly considered the economic savings that would result from the proposed discontinuance, as provided under 39 U.S.C. § 404(d)(2)(A)(iv). The Postal Service estimates that administering delivery service emanating from the Bridgewater Post Office would cost the Postal Service substantially less than maintaining the West Edmeston Post Office, and would still provide regular and effective service.⁹ The amount of the estimated annual savings associated with discontinuing the West Edmeston Post Office is \$42,705.00. Item No. 41, Revised Proposal, at 10.

Petitioners observe that the savings generated from Post Office closings is small in relation to the total budget of the Postal Service. While the savings may seem insignificant to Petitioners, they are significant to the overall cost reduction focus of the Postal Service. The Postal Service is looking at all opportunities to operate efficiently

⁹ Petitioners allege that as a result of the discontinuance of the West Edmeston Post Office, “the Bridgewater Post Office w[ill] be upgraded as a higher level facility [] due to the increased postal load” and that this will require an increase in the salaries of Bridgewater Post Office employees. This argument reflects speculation. The factors considered in decisions regarding a Post Office’s status and employee salaries are beyond the scope of this appeal.

and provide effective and regular service. While the savings from any given initiative may seem small, these savings can make a difference when added together.

The Postal Service determined that the provision of delivery and retail service through the Bridgewater Post Office is more effective than maintaining the West Edmeston postal facility and postmaster position. The Postal Service's estimates are supported by record evidence, in accordance with the Postal Service's statutory obligations. The Postal Service, therefore, has considered the economic savings to the Postal Service resulting from such a discontinuance, consistent with its statutory obligations and Commission precedent. See 39 U.S.C. § 404(d)(2)(A)(iv).

Effect on Employees

As documented in the record, the impact on postal employees is minimal. The postmaster retired on June 18, 2008. Item No. 18, Fact Sheet, at 1. Although the noncareer postmaster relief (PMR) may be separated from the Postal Service upon implementation of the Final Determination, the record shows that no other employee would be affected by this discontinuance. Item No. 41, Revised Proposal, at 10. Accordingly, in making the Final Determination, the Postal Service considered the effect of the discontinuance on the employees of the West Edmeston Post Office, consistent with its statutory obligations. See 39 U.S.C. § 404(d)(2)(A)(ii).

Conclusion

As reflected throughout the administrative record, the Postal Service has followed the proper procedures and carefully considered the effect of discontinuing the West Edmeston Post Office on the provision of postal services and on the West

Edmeston community, as well as the effect on postal employees, the economic savings that would result from the proposed discontinuance and other factors, consistent with the mandate of 39 U.S.C. § 404(d)(2)(A).

After taking all factors into consideration, the Postal Service determined that the advantages of discontinuance outweigh the disadvantages. In addition, the Postal Service concluded that after the discontinuance, the Postal Service will continue to provide effective and regular service to West Edmeston customers. The Postal Service respectfully submits that this conclusion is consistent with and supported by the administrative record, and is in accord with the policies stated in 39 U.S.C. § 404(d)(2)(A). Accordingly, the Postal Service's decision to discontinue the West Edmeston Post Office should be affirmed.

The Postal Service respectfully requests that the Final Determination to discontinue the West Edmeston Post Office be affirmed.

Respectfully submitted,

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